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phrase "each of the following consecutive amino acid sequences" followed by multiple sequences can be interpreted as SEQ ID Nos 35-37 or 38 must themselves be consecutive, i.e. SEQ ID NO:35 is followed immediately by SEQ ID NO:36 followed immediately by SEQ ID NO:37 etc, with no intervening amino acids between the SEQ ID Nos. The Examiner stated that it is believed that in this case, what applicant is trying to claim is an antibody which binds to an antigen that contains all of the instant SEQ ID Nos in its outer membrane domain, but not necessarily as one long uninterrupted peptide sequence. The Examiner stated that if this is the case, the grounds of objection may be obviated by simply deleting the word "consecutive" from claims 131-132.

In response, applicants respectfully traverse the Examiner's above rejection because "has within its structure each of the following consecutive amino acid sequences" is synonymous with "has within its structure each of the following amino acid sequences." Accordingly, applicants submit that claim 131-132 are not indefinite. Nevertheless, applicants without conceding the correctness of the Examiner's position but to expedite prosecution of the subject application, have herein amended claims 131-132 such that they no longer recite the word "consecutive." Applicants are making such amendment merely for clarity. However, applicants submit that such amendment does not affect the scope of the claim. It is clear from the words of claims 131-132 both prior to and subsequent to entry of this amendment that although the antibody comprises each of the sequences, they need not be consecutive to each other. Applicants contend that this amendment obviates the above rejection and respectfully that the Examiner reconsider and withdraw this ground of rejection.

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Confirmation of Consideration of Supplemental Information Disclosure Statement

Applicants hereby request confirmation that the United States Patent Office has considered the Supplemental Information Disclosure Statement filed on June 27, 2001 in connection with the subject application. Applicants paid the \$180.00 fee for submission of the information disclosure statement. However, the July 31, 2001 Office Action did not acknowledge receipt and consideration of the supplemental information disclosure statement. Accordingly, applicants request acknowledgment by the Examiner of his consideration of the references cited in the supplemental information disclosure statement filed on June 27, 2001.

Applicant's Request for Interference

Pursuant to 37 C.F.R. §1.607, applicants hereby request an interference with U.S. Patent No. 6,107, 090, issued August 22, 2000. A copy of this patent was submitted to the United States Patent Office in a Supplemental Information Disclosure Statement filed on October 20, 2000 in connection with the subject application. An additional copy of this patent was attached to the amendment filed on November 24, 2000.

Claim 25 of U.S. Patent No. 6,107,090 recites as follows:

An isolated antibody or antigen binding portion thereof which binds to an extracellular domain of prostate specific membrane antigen which binding occurs to living cells, wherein said antibody or antigen binding portion thereof is selected for its ability to bind to live

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cells.

New claim 137 of the subject application recites as follows:

A purified antibody which binds to an outer membrane domain of prostate specific membrane antigen, the amino acid sequence of which antigen is set forth in SEQ ID NO:2.

Applicants hereby propose the following count for the interference:

Count I

An isolated antibody or antigen binding portion thereof which binds to an extracellular domain of prostate specific membrane antigen which binding occurs to living cells, wherein said antibody or antigen binding portion thereof is selected for its ability to bind to live cells; or a purified antibody which binds to an outer membrane domain of prostate specific membrane antigen, the amino acid sequence of which antigen is set forth in SEQ ID NO:2.

The proposed count is the antibody alternative of claim 25 of U.S. Patent No. 6,107,090 or claim 137 of the subject application. Claim 25 of the patent and claims 137 and 139 of the subject application correspond to the count. In addition, all of the claims of U.S. Patent No. 6,107,090, i.e. claims 1-24 and 26-60, in addition to claim 25 correspond to the count. In contrast, applicants' new

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claims 128-136, 138 and 140-144 do not correspond to the proposed count.

Pursuant to 37 C.F.R. §1.607(d) applicants specifically request that a notice be placed in the file of U.S. Patent No. 6,107,090 that applicants are seeking to provoke an interference with the patent and that a copy of the notice be sent to the patentee.

Finally, pursuant to 37 C.F.R. §1.608, no prima facie showing is required by applicants since applicants' effective filing date is November 5, 1992 and the patent's earliest possible date is May 6, 1996. Therefore, applicants are also entitled to be designated the senior party in the interference.

Applicants are in compliance with 35 U.S.C. §135(b) since claims which recite "substantially the same subject matter" as those in U.S. Patent No. 6,107,090 were filed prior to one year from the issue date of 6,107,090, i.e. by August 22, 2001.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invites the Examiner to telephone either of them at the number provided below.

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No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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